

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

LIBERTY MUTUAL INSURANCE	)	C.A. No. 96-10804-DPW
COMPANY,	)	Case Numbers:
	)	1:04-CV-10648-DPW
	)	(Abarca Bostik Site)
Plaintiff,	)	1:04-CV-10649-DPW
	)	(Alwell Asbestos)
v.	)	1:04-CV-10668-DPW
	)	(Maritime Asbestos)
THE BLACK & DECKER	)	1:04-CV-10669-DPW
CORPORATION, BLACK & DECKER	)	(Maritime Hearing Loss)
INC., BLACK & DECKER (U.S.)	)	1:04-CV-10676-DPW
INC., EMHART CORPORATION,	)	(Pennsylvania Benzene)
and EMHART, INC.,	)	1:04-CV-10665-DPW
	)	(PAS Fulton)
	)	1:04-CV-10675-DPW
Defendants.	)	(PAS Oswego)
	)	1:04-CV-10670-DPW
	)	(Medway)

**PLAINTIFF'S ASSENTED-TO MOTION FOR LEAVE  
TO FILE MEMORANDUM OF LAW  
IN EXCESS OF TWENTY PAGES**

Pursuant to Local Rule 7.1(B)(4), plaintiff, Liberty Mutual Insurance Company ("Liberty Mutual"), hereby moves this Court for an Order granting Liberty Mutual leave to file Liberty Mutual's Memorandum Of Law In Support Of Its Opposition to Black & Decker's Motions for an Award of Prejudgment Interest and Attorneys' Fees With Respect To The Abarca Bostik, Alwell Asbestos, Maritime Asbestos, Maritime Hearing Loss, Pennsylvania Benzene, PAS Fulton, PAS Oswego and Medway sites, which exceeds twenty pages in length.

As grounds for the instant motion, Liberty Mutual states that a significant number of legal and factual issues must be addressed in the opposition

memorandum, which addresses both of Black & Decker's motions. Liberty Mutual respectfully submits that a memorandum of law exceeding twenty pages in length is necessary in order to provide a full explication of these issues to the Court. The Defendants have assented to this motion.

WHEREFORE, Liberty Mutual respectfully requests that this Court issue an Order granting Liberty Mutual leave to file its Memorandum Of Law In Opposition to Black & Decker's Motions for an Award of Prejudgment Interest and for Attorneys' Fees With Respect To The Five Long-Term Exposure Claims and the PAS Fulton, PAS Oswego, and Medway Sites in a form exceeding twenty pages in length.

LIBERTY MUTUAL INSURANCE COMPANY

By its attorneys,

/s/ Janice Kelley Rowan  
Ralph T. Lepore III (BBO #294420)  
Janice Kelley Rowan (BBO #265520)  
HOLLAND & KNIGHT LLP  
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Boston, MA 02116  
(617) 523-2700

Dated: November 16, 2004

LOCAL RULE 7.1(A)(2) CERTIFICATION

I hereby certify that I conferred with counsel for defendants, Richard Binder, on November 16, 2004, and Mr. Binder assented to the filing of this motion.

/s/ Janice Kelley Rowan  
Janice Kelley Rowan

CERTIFICATE OF SERVICE

I hereby certify that on this 16<sup>th</sup> day of November, 2004, I caused a copy of the foregoing motion to be served by hand upon counsel for defendants, Jack R. Pirozzolo, at Willcox, Pirozzolo and McCarthy, P.C., 50 Federal Street, Boston, MA 02110.

/s/ Janice Kelley Rowan

Janice Kelley Rowan

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